



**TRADEMARK**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:  
RIGHT-ON CO., LTD.

Trademark Attorney: Gina M. Fink

Application No.: 79/015,094

Law Office: 109

Filed: July 8, 2005

Docket No.: 128687

Mark: DESIGN

**RESPONSE TO OFFICE ACTION**



Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

02-09-2007

U.S. Patent & TMO/TM Mail Rpt. Ct. #72

Madam:

Responsive to the Office Action mailed August 17, 2006, Applicant responds as follows:

1. **Refusal - Mark is Ornamental**

The Office Action has refused registration of Applicant's mark on the Principal Register on the basis that the mark is merely ornamental. Based on the following reasons, Applicant respectfully disagrees.

The examining attorney should consider several factors to determine whether ornamental matter can be registered, including the inherent distinctiveness of the mark, the commercial impression of the mark, and the relevant practices of the trade. TMEP §1202.03. Also, evidence of prior registrations on the Supplemental Register is not relevant or binding in the current determination of whether Applicant's mark may be registered on the Principal Register.

These factors are discussed in the following sections:

A. **Inherent Distinctiveness of the Mark**

The Examining Attorney states that stitching on jeans pockets is not inherently distinctive. According to the Examining Attorney, "When a consumer recognizes a 'designer label' of certain stitching on a jeans pocket, it is because that stitching design has acquired distinctiveness as is associated with the maker/designer." This argument argues in favor of Applicant, however, because the Examining Attorney has stipulated that consumers look to the

stitching designs on jeans pockets to distinguish sources of jeans and consider such design as "designer labels." The fact that one stitching design is more famous than another stitching design used in the same location and in the same way does not make the less famous design merely ornamental. Rather, this argument illustrates that consumers will look to such designs *as a source indicator*.

The Examining Attorney also states that stitching on pockets is not inherently distinctive because it is just as common for random stitching designs to be added to jeans pockets for no other purpose but ornamentation. In support of this statement, the Examining Attorney provides several website printouts offering tips to individuals with sewing machines on how to sew stitching designs on pockets. The fact that individuals can modify clothing does not mean such designs are not inherently distinctive. The test of whether a mark is not distinctive is whether purchasers would consider the mark to indicate the source of the goods on which the mark is used. In the case of individuals making their own clothes, there are no purchasers, these goods are not offered in commerce, and the issue of source indicators is moot.

Notwithstanding the above, the evidence provided by the Examining Attorney indicates that individuals who make their own clothing want to mimic the distinctiveness of having a consistent and unique stitching design in order to distinguish their design from those of others, even when those clothes are not offered for sale anywhere. That is, the stitching design on jeans pockets has become so recognized as a "designer" trademark indication of origin that amateurs are using this same technique to have their clothes appear to be designer jeans, with the designs identifying themselves as the designer.

B. Commercial Impression

With respect to the commercial impression created by the mark, the Examining Attorney must consider the size, location and prominence of the proposed mark, as applied to the goods, to determine whether ornamental matter serves a trademark function. *See, e.g., In re Dimitri's Inc.*, 9 USPQ2d 1666, 1667 (TTAB 1988); *In re Astro-Gods Inc.*, 223 USPQ 621, 623 (TTAB 1984). A small, neat and discrete word or design feature may be likely to create the commercial impression of a trademark, whereas a larger rendition of the same matter emblazoned across the front of a garment may be likely to be perceived merely as a decorative or ornamental feature of the goods. TMEP §1202.03(a)

In this case, Applicant's mark is a small, neat, and discrete -- yet distinctive -- design feature that creates the impression that such a design feature indicates the source of the goods identified in the application. As such, Applicant's mark functions as a trademark and is more than merely ornamental. Applicant's mark is not a typical design feature that is commonly used, e.g., a flower, butterfly, etc. Rather, Applicant's mark is a unique and arbitrary design intended to identify the goods identified in the application as originating from Applicant. As such, Applicant's mark creates a commercial impression of a trademark and not of mere ornamentation.

C. Practices of the Trade

In determining whether a proposed mark is inherently distinctive, factors to be considered include whether the subject matter is unique or unusual in a particular field or whether it is a mere refinement of a commonly-adopted and well-known form of ornamentation for a particular class of goods that would be viewed by the public as a dress or ornamentation for the goods. *See, e.g., In re General Tire & Rubber Co.*, 404 F.2d 1396, 160 USPQ 415 (C.C.P.A. 1969) (three narrow white concentric rings of approximately equal width applied to the outer surface of a dark sidewall tire).

In this case, Applicant's mark is unique in comparison to other marks in the relevant industry. In the clothing industry, such designs are routinely used to identify the source of goods. In addition, unless the design mark is without even a small degree of stylization, e.g., a single stripe on the side of a shoe, consumers are accustomed to distinguishing design marks on clothing, especially when the design mark is as unique and distinctive as Applicant's.

Further, in the trade in which Applicant offers its goods, the application of design marks on pockets as trademarks is a typical practice in the industry. Examples of this trade practice include similarly distinctive stitching designs in the pockets of Levi's jeans, as well as numerous others for which registration has been obtained on the Principal Register without evidence of acquired distinctiveness under Section 2(f) of the Trademark Act (see enclosed). Indeed, Applicant itself has secured registrations on the Principal Register without a claim of acquired distinctiveness for similar design marks for the same goods as those identified in the current application. *See, e.g., Registrations Nos. 3,090,433, 3,104,095, and 3,106,997 (also enclosed).*

Perhaps the most authoritative source that the Examining Attorney provides with respect to her argument is an Ohio State University Extension Fact Sheet on textiles and clothing. In the section of this document subtitled "Styling," the authors write:

Fashion and styling details are given more attention by designers, as reflected in market offerings with much styling variety beyond traditional jeans looks.... Other looks are achieved in pleats, tucks, special yoke insets of contrast or shape, button treatments and pocket designs. Fashion detailing is evident in pockets, especially hip pockets. Pocket shape, top-stitching pattern and other trim ideas are varied to create interesting *and distinctive* [emphasis added] garment detail; however, some companies promote plain pocket jeans.

Based on the most authoritative evidence provided by the Examining Attorney, pocket stitching detail is intended to be distinctive and to distinguish goods in the marketplace.

Because the practices of the trade confirm that such pocket designs perform the function of a trademark by signifying to purchasers and prospective purchasers the goods of a particular entity and distinguishing the goods from those of others, the subject mark is capable of distinguishing the applicant's goods. TMEP §1202.03(b)

D. Evidence of Supplemental Registrations Irrelevant

The fact that the Examining Attorney has attached several registrations of other pocket stitching designs registered on the Supplemental Register is not indicative of anything aside from the previous prosecution decisions made by other applicants.

2. Mark Description Requirement

The Office Action states that Applicant must submit a concise description of the mark. In response, Applicant submits the following mark description:

The mark consists of a stitching design on side-by-side pockets. The shape of the pockets is not claimed as part of the mark.

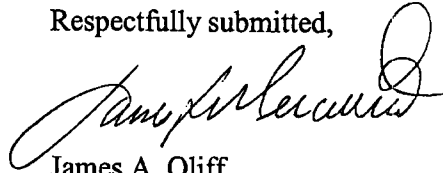
3. Amended Drawing Requirement

The Office Action states that Applicant must depict the mark on the drawing using broken or dotted lines to show the mark's position on the goods. In response, Applicant explains that it intends to use the subject mark on many different types of goods, including jeans, t-shirts, polo shirts, sweat shirts, sweaters, gloves and socks; belts for clothing; footwear, namely, sports shoes, mountaineering boots and sandals; headgear for wear, namely, caps and hats. As such, it is impractical to show the location of the mark on all of the goods identified in the application.

4. **Conclusion**

Based on the foregoing, Applicant believes that the subject application is now in condition for publication, and such favorable and further action is respectfully requested.

Respectfully submitted,



James A. Oliff  
James J. Mercurio  
U.S. Attorneys for Applicant

JAO:JJM/jlg

Date: February 9, 2007

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

**DEPOSIT ACCOUNT USE  
AUTHORIZATION**

Please grant any extension  
necessary for entry;  
Charge any fee due to our  
Deposit Account No. 15-0461

Registered Nov. 16, 1943

**Trade-Mark 404,248**

Republished, under the Act of 1946, April 27, 1948, by  
Levi Strauss & Company, San Francisco, Calif.

Affidavit under Section 8 accepted.

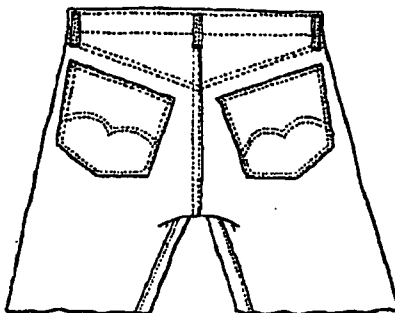
Affidavit under Section 15 received, Aug. 31, 1953.

## UNITED STATES PATENT OFFICE

Levi Strauss & Company, San Francisco, Calif.

Act of February 20, 1905

Application September 25, 1942, Serial No. 455,769



### STATEMENT

*To the Commissioner of Patents:*

Levi Strauss & Company, a corporation duly organized under the laws of the State of California and located at the city and county of San Francisco, State of California, and doing business at 98 Battery Street, San Francisco, California, has adopted and used the trade-mark shown in the accompanying drawing, for WAISTBAND TYPE OVERALLS, in Class 39, Clothing, and presents herewith five facsimiles showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States Patent Office in accordance with act of February 20, 1905. The trade-mark has been continuously used and applied to said goods in applicant's business since the year 1873. The trade-mark consists of double arcuate designs of orange color displayed on the hip pockets of the overalls as shown on the drawing. The mark is applied to the overalls

by stitching the double arcuate designs on the hip pockets with orange colored thread, or by painting the lines of said design on the hip pockets with orange colored paint.

No claim is made to the exclusive use of the representation of a pair of overalls.

The undersigned hereby appoints Castberg & Roemer, a firm composed of Thomas Castberg and Irving C. Roemer, whose address is 807 Crocker Building, San Francisco, California, and whose registration number is 15,030, as its attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the certificate of registration, and to transact all business in the Patent Office connected therewith.

LEVI STRAUSS & COMPANY,  
By DANIEL E. KOSHLAND,  
Vice President.

**Int. Cl.: 25**

**Prior U.S. Cl.: 39**

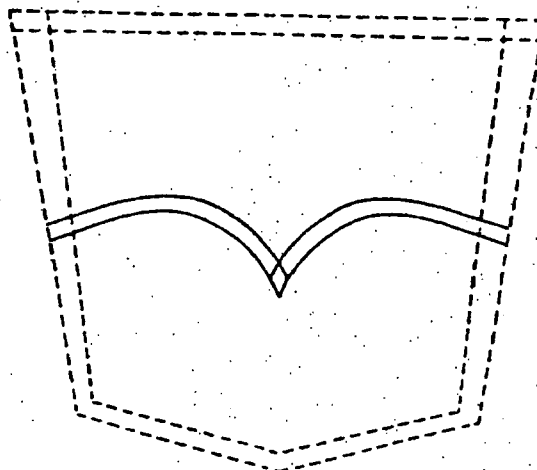
**United States Patent and Trademark Office**

**Reg. No. 1,139,254**

**Registered Sep. 2, 1978**

**TRADEMARK**

**Principal Register**



Levi Strauss & Co. (Delaware corporation)  
Two Embarcadero Cir.  
San Francisco, Calif. 94106

For: PANTS, JACKETS, SKIRTS, DRESSES AND  
SHORTS, in CLASS 25 (U.S. CL. 39).

First use 1873; in commerce 1873.

Owner of U.S. Reg. No. 404,248.

Ser. No. 169,399 Filed May 8, 1978.

M. J. LEAHY, Primary Examiner

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

**United States Patent and Trademark Office**

**Reg. No. 2,794,649**

Registered Dec. 16, 2003

**TRADEMARK  
PRINCIPAL REGISTER**



LEVI STRAUSS & CO. (DELAWARE CORPORATION)  
1155 BATTERY STREET  
SAN FRANCISCO, CA 94111

THE MARK CONSISTS OF A DOUBLE ARCUATE DESIGN.

FOR: PANTS, JEANS, SHORTS, SHIRTS, T-SHIRTS, BLOUSES, SKIRTS AND JACKETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

SER. NO. 78-142,765, FILED 7-10-2002.

FIRST USE 0-0-1873; IN COMMERCE 0-0-1873.

GINNY ISAACSON, EXAMINING ATTORNEY



Int. Cl.: 25

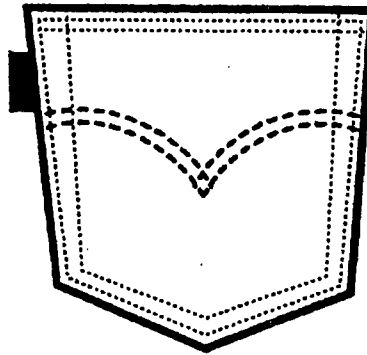
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,791,156

Registered Dec. 9, 2003

TRADEMARK  
PRINCIPAL REGISTER



LEVI STRAUSS & CO. (DELAWARE CORPORATION)  
1155 BATTERY STREET  
SAN FRANCISCO, CA 94111

FOR: PANTS, JEANS, SHORTS, SHIRTS, T-SHIRTS, BLOUSES, SKIRTS AND JACKETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-1-1936; IN COMMERCE 9-1-1936.

OWNER OF U.S. REG. NOS. 1,041,846, 1,135,196, AND 1,139,254.

THE LINING AND SHADING SHOWN IN THE DRAWING ARE FEATURES OF THE MARK AND NOT INTENDED TO INDICATE COLOR.

THE MARK CONSISTS OF THE COMBINATION OF A DOUBLE ARCUATE AND TAB DESIGN SHOWN ON THE SHAPE OF A POCKET, AS INDICATED BY A SOLID LINE.

SER. NO. 78-144,339, FILED 7-16-2002.

ELLEN B. AWRICH, EXAMINING ATTORNEY

Int. Cl.: 25

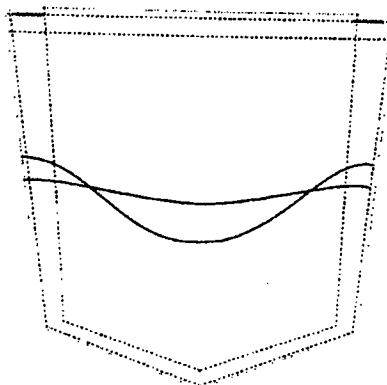
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,073,748

Registered Mar. 28, 2006

**TRADEMARK  
PRINCIPAL REGISTER**



INDUSTRIA DE DISEÑO TEXTIL, S.A. (INDI-  
TEX, S.A.) (SPAIN CORPORATION)  
POLÍGONO INDUSTRIAL DE SABÓN  
79-B, E-15142 ARTEIXO (A CORUÑA)  
SPAIN

THE MARK CONSISTS OF A STITCHED PAT-  
TERN CONTAINING TWO CURVED LINES. THE  
OUTLINE OF A POCKET IS NOT A PART OF THE  
MARK AND IS INCLUDED ONLY TO SHOW THE  
POSITION OF THE MARK.

FOR: CLOTHING, NAMELY, MEN'S, WOMEN'S,  
AND CHILDREN'S JEANS, IN CLASS 25 (U.S. CLS.  
22 AND 39).

SER. NO. 79-006,907, FILED 7-30-2004.

OWNER OF INTERNATIONAL REGISTRATION  
0837700 DATED 7-30-2004, EXPIRES 7-30-2014.

KATHY DE JONGE, EXAMINING ATTORNEY

Int. Cl.: 25

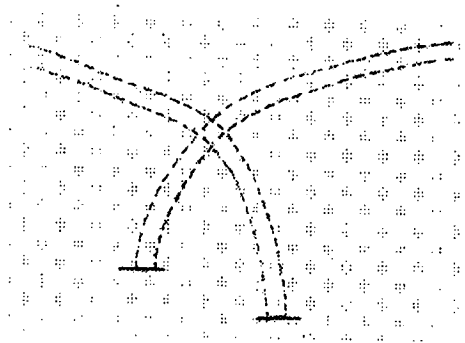
Prior U.S. Cls.: 22 and 39

**United States Patent and Trademark Office**

**Reg. No. 3,162,762**

**Registered Oct. 24, 2006**

**TRADEMARK  
PRINCIPAL REGISTER**



FETISH GROUP, INC. (CALIFORNIA CORPORATION)  
5050 SANTA FE AVENUE  
VERNON, CA 90058

FOR: CLOTHING, NAMELY JEANS, SKIRTS  
AND PANTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-0-2004; IN COMMERCE 9-0-2004.

THE MARK CONSISTS OF TWO SETS OF PARALLEL DOTTED CURVED LINES THAT CROSS AT A MID-POINT. THE DOTTED LINES ARE PART OF THE MARK.

SER. NO. 78-807,015, FILED 2-3-2006.

DAYNA BROWNE, EXAMINING ATTORNEY

Int. Cl.: 25

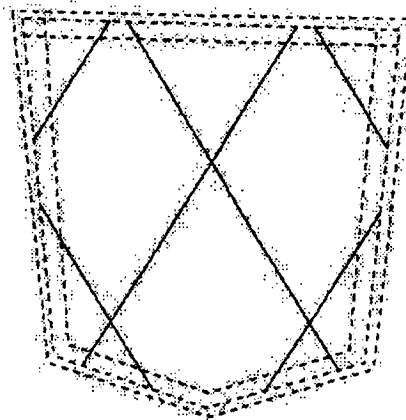
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,181,579

Registered Dec. 5, 2006

**TRADEMARK  
PRINCIPAL REGISTER**



PEI LICENSING, INC. (DELAWARE CORPORATION)

3000 NW 107TH AVENUE

MIAMI, FL 33172

FOR: CLOTHING, NAMELY, DENIM, JEANS, PANTS, SHIRTS, JACKETS, SLACKS AND SHORTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 4-0-2005; IN COMMERCE 4-0-2005.

THE MARK CONSISTS OF A STYLIZED STITCHING DESIGN IN A DIAMOND PATTERN APPLIED TO POCKETS FOR THE GOODS. THE DOTTED LINES ARE NOT PART OF THE MARK BUT SERVE TO INDICATE THE POSITION OF THE MARK AND ARE NOT A FEATURE OF THE MARK.

SN 78-437,218, FILED 6-17-2004.

LINDA MICKLEBURGH, EXAMINING ATTORNEY

Int. Cl.: 25

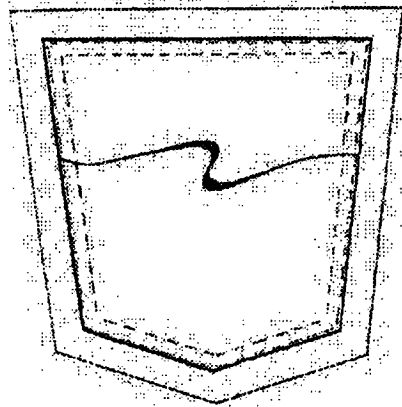
Prior U.S. Cls.: 22 and 39

**United States Patent and Trademark Office**

**Reg. No. 3,091,254**

Registered May 9, 2006

**TRADEMARK  
PRINCIPAL REGISTER**



THE H. D. LEE COMPANY, INC. (DELAWARE  
CORPORATION)  
3411 SILVERSIDE RD  
WILMINGTON, DE 19810

FOR: CLOTHING, NAMELY, JEANS AND PANTS,  
IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 11-12-2004; IN COMMERCE 11-12-2004.

OWNER OF U.S. REG. NO. 1,273,602.

THE MARK CONSISTS OF A FIVE-SIDED POLY-  
GON BISECTED BY A WAVY LINE THE THICK-  
NESS OF WHICH INCREASES AS THE LINE  
REACHES THE CENTER POINT OF THE POLY-  
GON. THE EDGES OF THE POLYGON COME  
TOGETHER AT A POINT THAT FACES DOWN.

SN 78-439,813, FILED 6-23-2004.

MICHAEL TANNER, EXAMINING ATTORNEY

Int. Cls.: 18 and 25

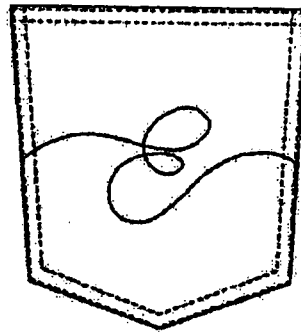
Prior U.S. Cls.: 1, 2, 3, 22, 39 and 41

United States Patent and Trademark Office

Reg. No. 3,114,494

Registered July 11, 2006

**TRADEMARK  
PRINCIPAL REGISTER**



ESCADA AG (FED REP GERMANY PUBLIC  
LIMITED COMPANY)  
MARGARETHA-LEY-RING 1  
85609 ASCHHEIM  
FED REP GERMANY

SKIRTS, FOOTWEAR; HEADWEAR, NAMELY  
HATS AND CAPS, IN CLASS 25 (U.S. CLS. 22 AND  
39).

PRIORITY DATE OF 4-6-2005 IS CLAIMED.

FOR: ARTICLES MADE OF LEATHER AND  
IMITATION LEATHER, NAMELY BAGS AND  
SMALL ARTICLES MADE OF LEATHER, NAMELY,  
PURSES, POCKET WALLETS, KEY CASES;  
TRUNKS AND TRAVELING BAGS; UMBRELLAS,  
PARASOLS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND  
41).

OWNER OF INTERNATIONAL REGISTRATION  
0859420 DATED 6-24-2005, EXPIRES 6-24-2015.

THE DOTTED LINES OF THE MARK SHOW A  
STITCHING DESIGN BUT NO CLAIM IS MADE TO  
THE SHAPE OF A POCKET.

FOR: CLOTHING, NAMELY SHIRTS, T-SHIRTS,  
SWEATSHIRTS, PULLOVERS, CARDIGANS, JACK-  
ETS, BLAZERS, COATS, JEANS, SLACKS, TROU-  
SERS, SHORTS, BERMUDA SHORTS, BLOUSES,  
TRACK SUITS, SWIMWEAR, SKI SUITS, KNIT  
CARDIGANS, KNIT SHIRTS, KNIT PANTS, KNIT

SER. NO. 79-014,402, FILED 6-24-2005.

IRENE D. WILLIAMS, EXAMINING ATTORNEY

Int. Cl.: 25

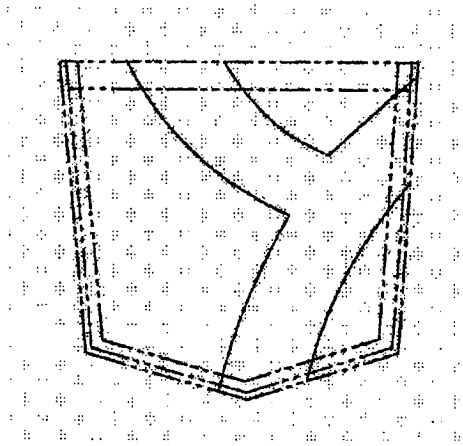
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,075,822

Registered Apr. 4, 2006

**TRADEMARK  
PRINCIPAL REGISTER**



GUESS?, INC. (DELAWARE CORPORATION)  
ATTN: LEGAL DEPARTMENT  
1444 SOUTH ALAMEDA STREET  
LOS ANGELES, CA 90021

FOR: MEN'S, WOMEN'S, BOYS', GIRLS', CHILDREN'S AND INFANT'S APPAREL, NAMELY, SKIRTS, PANTS, TROUSERS, SHORTS, JEANS, OVERALLS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 7-1-2004; IN COMMERCE 7-1-2004.

THE MARK CONSISTS OF A STYLIZED "Y" STITCHING DESIGN ON THE POCKETS OF THE GOODS. THE DOTTED LINES SERVE TO SHOW THE PLACEMENT OF THE MARK ON THE GOODS.

SER. NO. 78-475,168, FILED 8-27-2004.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY

Int. Cl.: 25

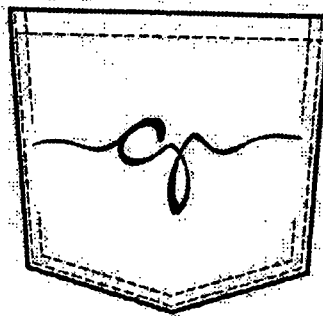
Prior U.S. Cls.: 22 and 39

**United States Patent and Trademark Office**

Reg. No. 3,001,859

Registered Sep. 27, 2005

**TRADEMARK  
PRINCIPAL REGISTER**



GUESS?, INC. (DELAWARE CORPORATION)  
ATTN: LEGAL DEPARTMENT  
1444 SOUTH ALAMEDA STREET  
LOS ANGELES, CA 90021

FOR: MEN'S, WOMEN'S, BOYS', GIRLS', CHILDREN'S AND INFANT'S APPAREL, NAMELY, SKIRTS, PANTS, SHORTS, JEANS, OVERALLS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 3-1-2004; IN COMMERCE 3-1-2004.

THE MARK CONSISTS OF A FANCIFUL "G" DESIGN FOR POCKET STITCHING, THE STIPPLING INDICATES THE OUTLINE OF THE POCKET AND IS NOT CLAIMED AS PART OF THE DESIGN.

SER. NO. 78-469,856, FILED 8-18-2004.

STANLEY I. OSBORNE, EXAMINING ATTORNEY



Int. Cl.: 25

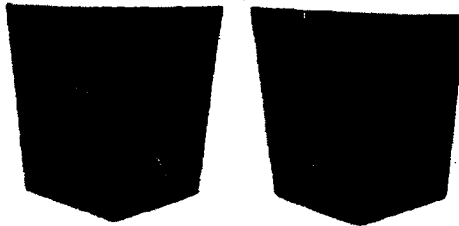
Prior U.S. Cls.: 22 and 39

**United States Patent and Trademark Office**

**Reg. No. 3,106,997**

Registered June 20, 2006

**TRADEMARK  
PRINCIPAL REGISTER**



RIGHT-ON CO., LTD (JAPAN CORPORATION  
LIMITED)

37-1 HIGASHIARAI,

TSUKUBA-SHI; IBARAKI-KEN 305-8503

JAPAN

OWNER OF INTERNATIONAL REGISTRATION  
0824509 DATED 4-2-2004, EXPIRES 4-2-2014.

THE COLOR(S) BLUE AND BROWN IS/ARE  
CLAIMED AS A FEATURE OF THE MARK.

FOR: CLOTHING, NAMELY, JEANS, T-SHIRTS,  
SWEAT SHIRTS, GLOVES, SOCKS, CAPS AND  
HATS; GARTERS; STOCKING SUSPENDERS;  
TROUSER STRAPS; WAISTBANDS; BELTS; FOOT-  
WEAR; MASQUERADE COSTUMES; CLOTHING  
FOR GYMNASTICS, NAMELY, BODY SUITS AND  
SNORTS JERSEYS; AND SHOES FOR SNORTS, IN  
CLASS 25 (U.S. CLS. 22 AND 39).

THE COLOR BLUE APPEARS ON THE POCKETS  
AND THE COLOR BROWN APPEARS ON THE  
STITCHING ON THE POCKETS.

SER. NO. 79-002,471, FILED 4-2-2004.

PRIORITY DATE OF 10-6-2003 IS CLAIMED.

MATTHEW KLINE, EXAMINING ATTORNEY

Int. Cl.: 25

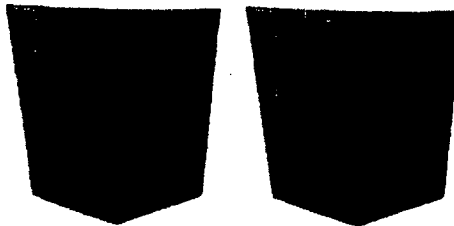
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,104,095

Registered June 13, 2006

**TRADEMARK  
PRINCIPAL REGISTER**



RIGHT-ON CO., LTD (JAPAN CORPORATION  
LIMITED)  
37-1 HIGASHIARAI,  
TSUKUBA-SHI, IBARAKI-KEN 305-8503  
JAPAN

FOR: CLOTHING, NAMELY, JEANS, T-SHIRTS,  
SWEAT SHIRTS, GLOVES, SOCKS, CAPS AND  
HATS; GARTERS; STOCKING SUSPENDERS;  
TROUSER STRAPS; WAISTBANDS; BELTS; FOOT-  
WEAR; MASQUERADE COSTUMES; CLOTHING  
FOR GYMNASTICS, NAMELY, BODY SUITS AND  
SPORTS JERSEYS; AND SHOES FOR SPORTS, IN  
CLASS 25 (U.S. CLS. 22 AND 39).

PRIORITY DATE OF 10-6-2003 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0824511 DATED 4-2-2004, EXPIRES 4-2-2014.

THE COLOR(S) BLUE AND BROWN IS/ARE  
CLAIMED AS A FEATURE OF THE MARK.

THE COLOR BLUE APPEARS ON THE POCKETS  
AND THE COLOR BROWN APPEARS ON THE  
STITCHING ON THE POCKETS.

THE MARK CONSISTS OF A STITCHING DE-  
SIGN OF VARYING THICKNESS ON SIDE-BY-SIDE  
POCKETS.

SER. NO. 79-002,472, FILED 4-2-2004.

MATTHEW KLINE, EXAMINING ATTORNEY

Int. Cl.: 25

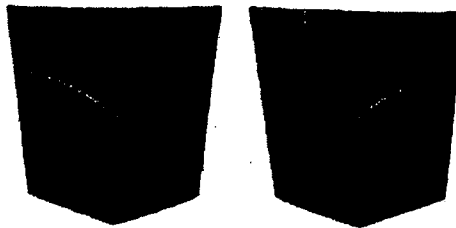
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,090,433

Registered May 9, 2006

**TRADEMARK  
PRINCIPAL REGISTER**



RIGHT-ON CO., LTD (JAPAN CORPORATION  
LIMITED)  
37-1 HIGASHIARAI,  
TSUKUBA-SHI, IBARAKI-KEN 305-8503  
JAPAN

FOR: CLOTHING, NAMELY, JEANS, T-SHIRTS,  
SWEAT SHIRTS, GLOVES, SOCKS, CAPS AND  
HATS; GARTERS; STOCKING SUSPENDERS;  
TROUSER STRAPS; WAISTBANDS; BELTS; FOOT-  
WEAR; MASQUERADE COSTUMES; CLOTHING  
FOR GYMNASTICS, NAMELY, BODY SUITS AND  
SPORTS JERSEYS; AND SHOES FOR SPORTS, IN  
CLASS 25 (U.S. CLS. 22 AND 39).

PRIORITY DATE OF 10-6-2003 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0824512 DATED 4-2-2004, EXPIRES 4-2-2014.

THE COLOR(S) BLUE AND BROWN IS/ARE  
CLAIMED AS A FEATURE OF THE MARK.

THE COLOR BLUE APPEARS ON THE POCKETS  
AND THE COLOR BROWN APPEARS ON THE  
STITCHING ON THE POCKETS.

THE MARK CONSISTS OF A STITCHING DE-  
SIGN OF VARYING THICKNESS ON SIDE-BY-SIDE  
POCKETS.

SER. NO. 79-002,473, FILED 4-2-2004.

DORITT L. CARROLL, EXAMINING ATTORNEY